

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION
CASE NO. 3:21-cv-157-FDW-DCK

MANDY PIPPIN & RICHARD
PIPPIN,

Plaintiffs,

v.

ABS SOUTHEAST, LLC,

Defendant.

**CONSENT MOTION FOR
EXTENSION OF TIME TO ANSWER**

Defendant ABS Southeast, LLC, pursuant to Rule 6(b) of the Federal Rules of Civil Procedure, respectfully moves the Court for an extension of time to answer or otherwise respond by motion to Plaintiffs' Amended Complaint. In support of this motion, Defendant submits:

1. On 5 November 2020, Plaintiff Richard Pippin filed an Application and Order Extending Time to File a Complaint in the General Court of Justice, Superior Court Division, for Mecklenburg County, North Carolina (File No. 20 CVS 15022).
2. On 25 November 2020, Plaintiff filed a Summons and Complaint in the General Court of Justice, Superior Court Division, for Mecklenburg County, North Carolina (File No. 20 CVS 15022).
3. On 3 February 2021, Plaintiff filed an Alias and Pluries Summons (File No. 20 CVS 15022).
4. On 15 March 2021, Defendant was served with copies of the Summons and Complaint.

5. On 29 March 2021, Plaintiff filed an Amended Complaint, joining Mandy Pippin as a Plaintiff.

6. Defendant removed Plaintiffs' action to the United States District Court of the Middle District of North Carolina on 12 April 2021. D.E. 1. Therefore, the earliest deadline for Defendant's response was 19 April 2021.

7. On 14 April 2021 Defendant filed a consent motion seeking an extension of time to respond to the Amended Complaint through and including 10 May 2021. D.E. 6. The Court granted this motion on 14 April 2021. D.E. 7. Defendant's deadline to respond to Plaintiffs' Amended Complaint is currently 10 May 2021.

8. Defendant has had insufficient time in which to completely investigate and respond to the allegations in the Amended Complaint. Defendant's counsel is obtaining and reviewing additional documents necessary to respond to the complaint and expects to obtain and review those documents in the next few days. Defendant believes a seven-day extension of time will allow sufficient time to complete and serve its response to the Amended Complaint.

9. Defendant's counsel has consulted with Plaintiffs' counsel about the extension of time requested in this Motion, and Plaintiffs' counsel consents to the requested extension.

WHEREFORE, Defendant respectfully requests a seven-day extension of time, up to and including 17 May 2021, within which to serve an Answer, Motion, or other pleading in response to Plaintiffs' Amended Complaint.

This the 10th day of May 2021.

POYNER SPRUILL LLP

By: /s/ Kevin M. Ceglowski
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ATTORNEYS FOR DEFENDANT
ABS SOUTHEAST, LLC

CERTIFICATE OF SERVICE

I hereby certify that I have this day electronically filed the foregoing *Consent Motion for Extension of Time to Answer* with the Clerk of Court by using the CM/ECF system which will send notification of such filing to all counsel and parties of record.

This 10th day of May 2021.

/s/ Kevin M. Ceglowski
Kevin M. Ceglowski